IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

WP(C).No. 21372 of 2007(T)

PETITIONER:

UNNIMON, S/O.PONNAN, KALATHINGAL HOUSE, AMBALLOOR VILLAGE, THRISSUR DISTRICT.

BY ADV. SMT.P.K.RADHIKA

RESPONDENTS:

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1. ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES, ARBITRATOR CUM SALES OFFICER, THRISSUR DISTRICT, CO-OPERATIVE BANK LTD, KURUPPAM ROAD, THRISSUR.

2. THRISSUR DISTRICT CO-OPERATIVE BANK, LIMITED NO.60, PUTHUKODE BRANCH, THRISSUR, REP. BY THE GENERAL MANAGER.

BY GOVERNMENT PLEADER, SRI P.K.RAVIKRISHNAN FOR R1
ADV.SRI V.G.ARUN, SC, FOR R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 21372 of 2007(T)

APPENDIX

PETITIONER'S EXTS:

EXT.P1 TRUE COPY OF THE SALE NOTICE

EXT.P2 TRUE COPY OF THE REPRESENTATION DATED 26/6/2007.

\\TRUE COPY//

THOTTATHIL B. RADHAKRISHNAN, J.

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W.P.(C) No. 21372 of 2007-T

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Dated this the 11th day of December, 2007

J U D G M E N T

The learned counsel for the second respondent submits that the condition imposed by this Court as per the interim order, dated 11/07/2007, has not been complied with.

The petitioner availed a loan from the second respondent by mortgaging his property. The second respondent obtained an award by proceeding under the Kerala Co-operative Societies Act. Ext.P1 is part of the sale proceedings on the basis of that award. I do not find any jurisdictional error or legal infirmity in the impugned proceedings. The writ petition, hence, fails and the same is accordingly dismissed. No costs.

THOTTATHIL B. RADHAKRISHNAN,
Judge

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